

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 1041-005	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/US04/36296	International filing date (day/month/year) 29 October 2004 (29.10.2004)	Priority date (day/month/year) 29 October 2003 (29.10.2003)
International Patent Classification (IPC) or national classification and IPC IPC(7): G06 F 17/30 and US Cl.: 707/103R, 102, 200; 715/500, 513, 514		
Applicant TRAINUM, MICHAEL W		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:

a. ☐ (sent to the applicant and to the International Bureau) a total of ___ sheets, as follows:

☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

Date of submission of the demand

25 May 2005 (25.05.2005)

Date of completion of this report

17 August 2005 (17.08.2005)

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*

- ☒ the international application as originally filed/furnished

- ☒ the description:

pages 1-46 as originally filed/furnished

pages* NONE received by this Authority on _____

pages* NONE received by this Authority on _____

- ☒ the claims:

pages 47-51 as originally filed/furnished

pages* NONE as amended (together with any statement) under Article 19

pages* NONE received by this Authority on _____

pages* NONE received by this Authority on _____

- ☒ the drawings:

pages 1/3-3/3 as originally filed/furnished

pages* NONE received by this Authority on _____

pages* NONE received by this Authority on _____

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:

☒ the description, pages NONE

☒ the claims, Nos. NONE

☒ the drawings, sheets/figs NONE

☒ the sequence listing (*specify*): NONE

☒ any table(s) related to the sequence listing (*specify*): NONE

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

** If item 4 applies, some or all of those sheets may be marked "superseded."*

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims 1-36 YES
Claims NONE NO

Inventive Step (IS)

Claims NONE YES
Claims 1-36 NO

Industrial Applicability (IA)

Claims 1-36 YES
Claims NONE NO

2. Citations and Explanations (Rule 70.7) Please See Continuation Sheet

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

V. 2. Citations and Explanations:

Claims 1-36 lack an inventive step under PCT Article 33(3) as being obvious over Ainsbury et al. US Patent 6,078,924 A in view of Young US Patent 6,038,567 A.

Regarding claim 1, Ainsbury teaches a system, comprising: a database storing a plurality of objects [note: data store 20; column 9 lines 50-67; Figure 1 element 20]; and a computer-based document management module [note: column 22 lines 46-57; TABLE 2] adapted to: create a source document comprising the plurality of documents [note: column 23 line 6 through column 24 line 12; TABLE 2 management rights]; and automatically and individually control a content a plurality of content attributes, a usage permission, and a distributed permission of each of a plurality of objects in each of multiple documents derived from the source document [column 23 line 6 through column 24 line 12; TABLE 2 management rights].

Although Ainsbury et al. teaches the invention substantially as cited above, they do not explicitly teach individual content control. Young teaches a desktop publishing software program which includes content-defining and format-defining object properties [note: abstract; column 3 lines 1-24; column 6 lines 1-22; also note column 10 lines 45-67; column 11 lines 20-64; and column 13 lines 1-24]. It would have been obvious to one of ordinary skill at the time of the invention to have combined Young with Ainsbury et al. because the ability to define the content would enhance the flexibility and access control of the system.

Regarding claims 2-13, wherein said document management module is further adapted to define a content ... prevent modification ... publish the source document ... propagate the content ... [note: Young teaches content-defining and object propagation note abstract and column 11 line 65 through column 12 line 24; see Figure 8 step 814 regarding publication of document].

Regarding claims 14 and 19-22, wherein each of the plurality of objects is stored only once in said database ... wherein the plurality of objects comprises a text object ... graphical object ... [note: Ainsbury et al., column 10 lines 1-22; column 29 lines 48-60; and column 34 lines 24-37].

Regarding claims 15-18, wherein the plurality of content attributes comprises content formatting information ... document structure information ... [note: Young, abstract format-defining object properties, column 6 lines 22-36; column 14 lines 45-62].

The limitations of claims 23-36 parallel system claims 1-22; therefore they are rejected under the same rationale.

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Supplemental Box

In the response filed April 28, 2005, Applicant argued the following: (1) Ainsbury et al. and Young do not teach "automatically and individually controlling ... each of a plurality of objects in each of multiple documents derived from the source document" as cited in independent claims 1, 23 and 26. (2) There is no motivation to combine the cited references. (3) Neither Ainsbury et al. nor Young teach dependent claims 2-4, 8-13, 17, 18, 21, 24-26, 30-32 and 34.

In response to Applicants remarks, the examiner respectfully maintains the rejection. Note Ainsbury et al. teaches an information platform that integrates structured and unstructured information from sources into visual applications. The information platform consists of components that aid in information gathering [col. 10 lines 50-67; Figure 1]. Young was cited because he teaches a desktop publishing software program which includes content-defining and format-defining object properties [note: abstract; column 3 lines 1-24; column 6 lines 1-22; also note column 10 lines 45-67; column 11 lines 20-64; and column 13 lines 1-24]. Young's ability to define the content enhances Ainsbury et al.'s ability to control content for multiple methods of information; also user-defined content provides the user the ability to customize the system. Regarding dependent claims 2-13 Young et al. teaches content-defining and object propagation note abstract and column 11 line 65 through column 12 line 24; see Figure 8 step 814 regarding publication of document. Regarding claims 17, 18 and 21 wherein the plurality of content attributes comprises content formatting information ... and graphical object note Young teaches format-defining object properties see abstract also note column 6 lines 22-36 and column 14 lines 45-62.

----- NEW CITATIONS -----